

PETITION FOR EXCLUSION OF PROPERTY

(Shiloh Mesa 5 Partners, LLC)

TO: THE BOARD OF DIRECTORS OF THE
WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 3,
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Pursuant to the provisions of §§ 32-1-501, *et seq.*, C.R.S., **SHILOH MESA 5 PARTNERS, LLC**, a Colorado limited liability company (the "**Petitioner**") hereby respectfully requests that the **WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 3** (the "**District**"), by and through its Board of Directors, exclude the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "**Property**"), from the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity or entities own an interest therein except as beneficial holders of encumbrances, if any. The Petitioner hereby assents to the exclusion of the Property from the boundaries of the District and to the entry of an Order by the District Court in and for El Paso County, excluding the Property from the boundaries of the District.

The Petitioner hereby acknowledges that, without the consent of the Board of Directors of the District, it cannot withdraw its Petition once the notice of a public hearing on the Petition has been published.

Pursuant to § 32-1-501(1), C.R.S., the Petitioner agrees to pay all costs associated with the exclusion proceedings.

The name and address of the Petitioner is as follows:

Shiloh Mesa 5 Partners, LLC
1710 Jet Stream Drive, Suite 100
Colorado Springs, CO 80921

Remainder of page intentionally left blank. Signature page follows.

PETITIONER:

SHILOH MESA 5 PARTNERS, LLC, a Colorado limited liability company



Printed Name: RANDALL O'LEARY

Title: MANAGING PARTNER

STATE OF ~~COLORADO~~ ^{TEXAS})
) ss.
COUNTY OF EL PASO)

The above and foregoing instrument was acknowledged before me this 15 day of February, 2017, by RANDALL O'LEARY, as managing partner of _____.

WIT my hand and official seal.



Kimberly A. Ramirez
Notary Public

My commission expires: 3.22.21

**Signature Page to Petition for Exclusion of Real Property
(Shiloh Mesa 5 Partners, LLC)**

EXHIBIT A
(The Property)

BE IT KNOWN BY THESE PRESENTS:

THAT SHILOH MESA 5 PARTNERS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 85 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER; MONUMENTED ON THE SOUTH END BY A FOUND REBAR AND 2-1/2" ALUMINUM CAP STAMPED WITH THE APPROPRIATE SYMBOLOGY FOR THE SECTION CORNER AND "DREXEL BARRELL LS 17684- 1985" AND ON THE NORTH END BY A FOUND REBAR AND 3-1/4" ALUMINUM CAP STAMPED WITH THE APPROPRIATE SYMBOLOGY FOR THE SECTION CORNER AND "A.B. SWART PLS 33649 -2010", BEARING NORTH 00°11'12" EAST 2639.81 FEET:

COMMENCE AT A SOUTH ONE-QUARTER CORNER OF SAID SECTION 4; THENCE NORTH 00°11'12" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 1,215.78 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00°11'12" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 563.25 FEET TO SOUTHEAST CORNER OF SHILOH MESA FILING NO. 1 SUBDIVISION PLAT RECORDED MAY 18, 2016 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 216713770;

THENCE ALONG THE EXTERIOR OF SAID SUBDIVISION PLAT THE FOLLOWING FIVE (5) COURSES;

1. THENCE SOUTH 87°36'29" WEST A DISTANCE OF 793.38 FEET TO A 135.50 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 78°15'24" EAST;

2. THENCE SOUTHERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 19°49'02" AN ARC DISTANCE OF 48.87 FEET TO A POINT OF CUSP WITH 135.50 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 83°19'41" EAST;

3. THENCE SOUTHERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 20°03'05" AN ARC DISTANCE OF 47.42 FEET;

4. THENCE SOUTH 26°43'37" EAST A DISTANCE OF 68.85 FEET;

5. THENCE SOUTH 63°51'41" WEST A DISTANCE OF 57.58 FEET TO 308.50 FOOT NON-TANGENT WHOSE CENTER BEARS SOUTH 60°54'24" WEST;

THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°42'18", A DISTANCE OF 142.86 FEET;

THENCE SOUTH 02°23'18" EAST A DISTANCE OF 408.78 FEET;

THENCE NORTH 87°35'42" EAST, A DISTANCE OF 57.00 FEET;

THENCE NORTH 02°23'18" WEST, A DISTANCE OF 178.70 FEET;

THENCE NORTH 87°35'42" EAST, A DISTANCE OF 410.00 FEET

THENCE SOUTH 87°29'08" EAST A DISTANCE OF 120.35 FEET;

THENCE SOUTH 89°49'00" EAST A DISTANCE OF 184.82 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A CALCULATED AREA OF 432,450 SQUARE FEET OR (9.92769 ACRES), MORE OR LESS.